

**UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 3<sup>rd</sup> day of June, two thousand and fourteen.

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Joshua Stuart,

Plaintiff-Appellee,

v.

**ORDER**

Docket No. 14-1207

Eric Paulding, Brian Robertson, Timothy Matthews,

Defendants-Appellants.

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Appellee moves to dismiss this appeal for lack of appellate jurisdiction. In their response to the motion to dismiss, Appellants request permission to withdraw their appeal without prejudice to filing an appeal from a final determination on the merits of the case.

IT IS HEREBY ORDERED that the Appellants' request to withdraw the appeal is GRANTED, and the Appellee's motion to dismiss is DENIED as moot.

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
